

## 09702196

HAMILTON COUNTY CLERK OF COURTS
HAMILTON COUNTY COURTHOUSE
COMMON PLEAS RECORDS DESK
1000 MAIN STREET, ROOM \$18

Person Requesting Recorded PULL MUNICIPAL Number: 34845

Institution	Number: 31070	
	Date Request Received:	
Copy of	WE HAVE FILLED THE FOLLOWING RECORDS REQUEST:	
THINKING	lather wow Demond	
	100 on 4 30 100 m	MULY
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Myou 1	demand for Bushovery inform	atto
	A A A A A A A A A A A A A A A A A A A	July J
peputy	Clerks ALL THE CORDS REQUEST HAS BEEN ANSWERED BY:	TORY
Telephone Number: (5	13) 946-567 Fax Number: (513) 946-56	<b>-7</b>
	Hamilton County Courthouse 1000 Main Street, Room 315 Cincinnation Of Association	10
Date Request Answered	1. 6/13/2003 Answer Sent By: 4110Ho	

MANY OF THE RECORDS YOU ARE REQUESTING MAY BE AVAILABLE FREE-OF-CHARGE, 24 HOURS PER DAY ON OUR WEBSITE <a href="http://www.countclerk.org">http://www.countclerk.org</a>,

Attachment: Copy of Records Request Received by the Clerk of Courts.

JUNE 24, 2003

HAMILTON COUNTY CLERK OF COURT OF APPEAL CINCINNATI, OHIO 45202

DEAR. SIR LOUIS MERRIWEATHER # 348-451

LOOKING OVER THE CRIMINAL DOCKET FOR B-9702196 THE DISCOVERY IS SOMETHING THAT SHOULD HAVE BEEN FILED. UNDER B-9702196 CASE HERE IS A PRINTOUT OF THE APPELLATE DOCKET # C0100232 IT DOES NOT SHOW ANY DISCOVERY FILED THIS CASE.

**CLERKS OFFICE** HAMILTON COUNTY APPELLATE Case 1:02-cv-00369-SAS-TSH Document 17-2 Filed 09/02/2003 Page 3 of 10

APPEARANCE DOCKET

C 0100232

Print Date: 6/23/2003

Page 1 CMSR5143

Attorney -

, 1

PRO SE

29997

Attorney -Judge -

STATE OF OHIO vs. LOUIS MERRIWEATHER

Filed: 3/29/2001 A105 - NOTICE OF APPEAL - CRIMINAL - POVERTY AFFIDAVIT

Total Deposits \$0.00

Total Costs \$0.00

LOUIS MERRIWEATHER 9705928

Appellant(s)

vs.

STATE OF OHIO 9705927

Appellee(s)

AVAIL.	IMAGE	DATE	DESCRIPTION	AMOUNT
N			NO DEPOSIT REQUIRED-POV.AFF. LOUIS MERRIWEATHER	0.00
N		3/29/2001	APPEAL - ON QUESTIONS OF LAW	
N		3/29/2001	NOTICE OF APPEAL FILED.	
N			COMMON PLEAS TRIAL COURT # B9702196	
N		3/29/2001	COPY SENT BY ORDINARY MAIL TO HAMILTON COUNTY PROSECUTOR	
N		3/29/2001	DOCKET STATEMENT FILED. B9702196	
N		3/29/2001	APPLICATION AND AFFIDAVIT BY INCARCERATED PERSON TO PROCEED WITHOUT PREPAYMENT OF FEES	
Y		4/17/2001		
Y			MOTION TO PREPARE TRANSCRIPT OF PROCEEDINGS AT STATE	
			EXPENSE	
Ÿ	3	5/04/2001 5/04/2001	ENTRY OF DISMISSAL B9702196 NOTICE OF ORDER OR JUDGMENT SENT BY ORDINARY MAIL TO ALL PARTIES REQUIRED BY LAW.	
Y		6/14/2001	MOTION TO PREPARE TRANSCRIPT OF PROCEEDING AT STATE EXPENSE	
Y		6/14/2001	MOTION FOR LEAVE TO FILE DELAYED APPEAL AS OF RIGHT	
Y		6/14/2001	MOTION FOR LEAVE TO APPEAL	
Ÿ		6/14/2001	AFFIDAVIT AFFIFAVIT	
Y		6/14/2001	MOTION TO APPOINT COUNSEL	
Y		6/14/2001	AFFIDAVIT AFFIDAVIT OF INDIGENCY	
Y		6/14/2001	DOCKET STATEMENT FILED. B-9702196	
Y		7/20/2001	MEMORANDUM IN OPPOSITION TO DEFENDANTS MOTION FOR DELAYED APPEAL	
Y	6	7/20/2001	ENTRY STRIKING MOTIONS FOR LEAVE TO APPEAL	
		7/25/2001		

Case 1:02-cv-00369-SAS-TSH Document 17-2 Filed 09/02/2003 Page 4 of 10

GREGORY A. COHEN

Attorney at Law

THE CITADEL

114 East Eighth Street Cincinnati, Ohio 45202 Phone: (513) 621-9016 Fax: (513) 621-2525 rugbyatty ©cs.com

May 19, 2003

Louis Merriweather, #348-451 Chillicothe Corrections P.O. Box 5500 Chillicothe, Ohio 45601-0990

Dear Mr. Merriweather:

I have reviewed your letter and I have also discussed your letter with a fellow attorney. I have moved my practice away from the post-conviction and habeas corpus pleadings because of my busy trial practice.

I believe that you may have cause of action and may benefit from the assistance of an attorney. Therefore, I am enclosing the card of William R. Gallagher who is an outstanding appellate and post-conviction attorney as well as a former President of the Greater Cincinnati Criminal Defense Lawyers association. I am returning your correspondence so that you can cross out my name and replace it with another attorneys name.

I have also enclosed a copy of the docket statement and I am mystified how or why any lawyer would plead a client out to serious charges prior to receiving a Discovery Response from the State. You were Indicted on April 2<sup>nd</sup> and entered a Plea approximately 45 days later without the benefit of effective assistance of counsel.

I wish you luck with this matter and I am competent that if anything can be done on your behalf, Mr. Gallagher is the man to do it.

Sincerely,

Gregory A. Cohen Attorney at Law

GAC/aeo Enclosure

ocument 17-2 / Final 09/02/2003 Page 5 of 10 #348-451 P.O. BOX 5800 Chillicother Ohio Chillicother USGOI- 0990 6: mc #97CRA9740A, - April 18-9702196 Plense forward to me, The Complaint/Sward pflichiat, filed against me under The above me number. @ WARRANT ON Wichmont 3) Disposition of Community Diagnostic Treatment Openter Examination, order 5/16/1997, 19 Request For Bill of Ambienlass - 4/30/1997 3 Subloana FOR Wilnesses issued - 5/15/1997



## **HAMILTON COUNTY CLERK OF COURTS**

**HAMILTON COUNTY COURTHOUSE COMMON PLEAS RECORDS DESK** 1000 MAIN STREET, ROOM 315 CINCINNATI, OHIO 45202

Person Requesting F	ecords: Duis Merriwent Number:
Institution:	Date Request Received:
Copy of Appen	I.) WE HAVE FILLED THE FOLLOWING RECORDS REQUEST:  LINGUSTMENT, JUDGMENT SENTE  AND DOCKET PERSON.
First Name of Deput	YOUN FIRST DIN TIPS
Mailing Address:  Date Request Answer	Hamilton County Courthouse 1000 Main Street, Room 315 Cincinnati, OH 45202

MANY OF THE RECORDS YOU ARE REQUESTING MAY BE **AVAILABLE FREE-OF-CHARGE, 24 HOURS PER DAY ON OUR WEBSITE** www.courtclerk.org

Attachment: Copy of Records Request Received by the Clerk of Courts.

HAMILTON COUNTY CLERK OF COURTS

TODAY'S DATEGAS #14/2200 -00369-SAS-TOMMON PLEASING FILED 09/02/2003 1 Page 7 of 10 CASE: B 9702196 Criminal Appearance Report CMSR5155

## APPEARANCE DOCKET

Attorney - Plaintiff

Attorney - Defendant JACK C RUBENSTEIN 6200
Cur Judge - ROBERT S KRAFT 15

-

STATE OF OHIO vs. LOUIS MERRIWEATHER

Total Deposits \$.00 Total Costs \$0.00

STATE OF OHIO

vs.

52

LOUIS MERRIWEATHER

213 BOSNICK AV Municipal #: ,,,
CINTI OH 45210

ace: B Age: 49 Sex: M

Filed: 4/02/1997 0005 - WARRANT ON INDICTMENT

Count:1 Disposition:3DOC DEPARTMENT OF CORRECTIONS Date: 6/18/1997
Count:2 Disposition:3DOC DEPARTMENT OF CORRECTIONS Date: 6/18/1997
Count:3 Disposition:3DOC DEPARTMENT OF CORRECTIONS Date: 6/18/1997
Count:4 Disposition:3DOC DEPARTMENT OF CORRECTIONS Date: 6/18/1997

IMAGE	DATE	DESCRIPTION	AMOUNT
	4/02/1997	INDICTMENT REPORTED AND FILED. INDICTMENT FOR RAPE 2907.02A1b R.C. W/ SPEC. (4CNTS)	
	4/02/1997	PRECIPE FOR WARRANT FILED AND WARRANT ISSUED.	
	4/03/1997	SIMON L. LEIS JR., SHERIFF: I HAVE IN CUSTODY AND HAVE SERVED COPY OF	

INDICTMENT ON
SAID DEFENDANT BY SNOWDEN, SR. DEPUTY
4/10/1997 ORDER TO SEAL ENTRY

4/11/1997 WAIVER OF PRESENCE OF DEFENDANT AT ARRAIGNMENT

100,000

4/11/1997 COUNSEL ASSIGNED
DANIEL F BURKE JR
159 4/24/1997 ENTRY OF CONTINUANCE

9 4/24/1997 ENTRY OF CONTINUANCE 5/7/97

4/25/1997 ORDER TO SEAL ENTRY

4/30/1997 WRITTEN REQUEST FOR BILL OF PARTICULARS.

4/30/1997 DEFENDANT'S DEMAND FOR DISCOVERY 5/07/1997 ENTRY OF CONTINUANCE

5/15/97 5/14/1997 SUBPOENA FOR WITNESS RETURNED AND

ENDORSED ERICA PARRISH

5/15/1997 SUBPOENA FOR WITNESS ISSUED TO ERICA PARRISH

5/15/1997 ENTRY WITHDRAWING PLEA OF NOT GUILTY
AND ENTERING PLEA OF GUILTY

CT 1 & 2 RAPE F-1 2907.02 DISMISS CT 3 & 4 & SEXUAL PREDATORS SPEC CTS 3 & 4

5/15/1997 ENTRY ON WAIVER OF TRIAL BY JURY.
5/15/1997 ENTRY ORDERING PROBATION INVESTIGATION

AND REPORT.

CLINIC EVAL.REPORT ORDERED. REMANDED. SENT SET 6/18/97

19 5/16/1997 ENTRY APPOINTING COMMUNITY DIAGNOSTIC AND TREATMENT CENTER FOR EXAMINATION

65 6/18/1997 ENTRY ADJUDICATING OFFENDER AS A: SEXUAL PREDATOR

66 6/18/1997 ENTRY ORDERING PROCESSING OF OFFENDER

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APPEARANCE DOCKET
             6/18/1997 JUDGMENT ENTRY: INCARCERATION
225
                       DOC 10YRS ON EACH CTS 1 & 2 CONCURR.
                       TO EACH OTHER WITH CREDIT FROM 3/23/97
                       THRU 6/18/97. REMANDED. PAY COURT
                       COSTS. FOUND TO BE A SEXUAL PREDATOR
             6/28/1997 ENTRY APPROVING COUNSEL FEES
564
             5/06/1998 CRIMINAL STATE COSTS SATISFIED
            12/06/2000 MOTION
                       FOR JUDICIAL RELEASE.
            12/21/2000 ENTRY OVERRULING JUDICIAL RELEASE
209
             2/14/2001 AFFIDAVIT OF INDIGENCY
             2/14/2001 MOTION
                       FOR PRODUCTION OF TRANSCRIPTS BY
                       INDIGENT DEFENDANT.
             3/08/2001 MOTION
                       FOR APPOINTMENT OF COUNSEL.
             3/08/2001 AFFIDAVIT OF INDIGENCY
             3/29/2001 NOTICE OF APPEAL FILED
                       NO. C0100232 COPY SENT TO HAMILTON
                       COUNTY PROSECUTOR
             3/29/2001 DOCKET STATEMENT FILED.
                       B9702196
             4/10/2001 MOTION TO DISMISS
                       REQUEST FOR TRANSCRIPTS
135
             4/26/2001 ENTRY GRANTING MOTION
                       TO DISMISS REQUEST FOR TRANSCRIPTS
             5/04/2001 ENTRY OF DISMISSAL
                       05/04/01 IMAGE# 3
                       C0100232
                       **COPY SENT TO DOC AND DEFENDANT ON
                       05/21/01 RSR**
             6/14/2001 DOCKET STATEMENT FILED.
                       C-010232
             9/28/2001 NOTICE OF APPEAL FILED AND MOTION FOR
                       DELAYED APPEAL
                       NO.C0100638 COPY SENT TO HAMILTON
                       COUNTY PROSECUTOR
             9/28/2001 DOCKET STATEMENT FILED.
            10/01/2001 DOCKET STATEMENT FILED.
                       C01000638
            10/02/2001 DOCKET STATEMENT FILED.
                       C-010638
            11/02/2001 ENTRY OVERRULING MOTION FOR LEAVE TO
                       APPEAL
                       C0100638
                       11/02/01 IMAGE# 4
                       ***COPY SENT TO DOC AND DEFENDANT ON
                       11/19/01 RSR***
            12/18/2001 NOTICE OF APPEAL OF APPELLANT L.
                       MERRIWEATHER FILED IN THE SUPREME
                       COURT OF OHIO ON 12/12/01, SC# 01-2152
             2/19/2002 MOTION
                       FOR JAIL TIME CREDIT PURSUANT TO
                       O.R.C. #2967.191
             3/04/2002 ENTRY GRANTING MOTION FOR JAIL TIME
252
                       CREDIT
             3/19/2002 COPY OF ENTRY DENYING LEAVE TO APPEAL
                       AND DISMISSING APPEAL, FILED IN THE
                       SUPREME COURT OF OHIO ON 03/04/02, SC
                       # 01-2152
             7/29/2002 MOTION
                       TO SUSPEND INCARCERATION/JUDICIAL
                       RELEASE O.R.C. 2929.20
             8/23/2002 MOTION
                       TO STAY FURTHER PROCEEDING OF #2929.20
             8/27/2002 MOTION
                       FOR DECLARATORY RELIEF OF SENTENCING.
            10/08/2002 MOTION
                       TO STRIKE FROM RECORDS
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. •		APPEARANCE DOCKET
•	11/22/2002	MOTION
		FOR RECUSAL OF SENTENCING JUDGE
	12/20/2002	MERRIWEATHER'S MOTION FOR
		POST-SENTENCE WITHDRAWAL OF GUILTY
		PLEAS.
	1/10/2003	FILING
	1/17/2003	
	•	TO AMEND POST-SENTENCE WITHDRAWAL OF
		GUILTY PLEAS.
284	2/13/2003	ENTRY
		DENYING MOTION FOR POST SENTENCE
		WITHDRAWAL OF GUILTY PLEA
285	2/13/2003	ENTRY
		DENYING MOTION FOR RECUSAL OF
		SENTENCING JUDGE
	3/04/2003	MOTION
		TO SUSPEND FURTHER INCARCERATION UNDER
_		JUDICIAL RELEASE O.R.C. #2929.20
35	3/06/2003	ENTRY OVERRULING
		MOTION FOR JUDICIAL RELEASE
	4/09/2003	
		FOR EMERGENCY DECLARATORY JUDGMENT.
	4/09/2003	
		FOR EVIDENTIARY HEARING TO CORRECT
		MANIFEST INJUSTICE UNDER CRIM. R. 32.1
234	4/11/2003	ENTRY DENYING:
	_ / /	MOTIONS

5/15/2003 JUDICIAL NOTICE.

Plea of not Guilty Entered ARRAIGNMENT LOUIS MERRIWEATHER

97-02196

" aismissed). P.S.I. & report ordered. Def. remander og/02/20 set for 6/18/97 at 9:00 A.M. May 15, 1997

Plea Guilty FG RApe, 2

1) in Cts. #1 and
and #4 and

ed). (Cts, #3 and #4 and specs. to Cts, #1, #2, #3 50(P-1) in Cts. #1 and #w (under 13/no force); Def. remanded pending sentence P.S.I. & Clinic Evaltn. 2907.02(A)(1)(b) R.C.

Sentence: ODC for 10 yrs. on each of Cts. #1 and #2 to run concurrently to each other w/credit days given from 3/23/97 thru 6/18/97. Def. remanded. whef, to pay cc. predator). June 18, (Def. found to be a sexual

Kraft,J.